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33. In a cellular radio communication network comprising a plurality of systems each providing service within a common geographic area, and operating within a frequency range comprising a plurality of frequency bands, a method of allocating frequency bands to said systems said method comprising the steps of:

assigning one or more first frequency bands to each of said systems, wherein said first frequency bands are used for control channels within the systems to which each is assigned; and
allocating one or more second frequency bands to said systems on a shared
basis, wherein said second frequency bands are used for traffic channels within the system to which each is currently allocated.

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38. A cellular communications network/ providing service over a frequency range comprising a plurality of first frequency bands and a plurality of second frequency bands, said network comprising:

a plurality of radio communications systems, each of said systems providing service in a coverage area, the coverage areas of each of said systems having a common area, each of said systems being assigned one or more of said first frequency bands for use as control channels for each system and providing service over said plurality of second frequency bands on a shared basis.

39. The cellular communications network of claim 38 in which one or more of said systems is assigned one or more fixed frequency bands for providing service in addition to providing service over said plurality of shared frequency bands.

REMARKS

The Examiner's indication of allowance of claims 1-24 and 29-32 is appreciated. Claims 1-46 are pending, and claims 25-28 and 33-46 have been rejected.

With regard to the Examiner's rejection of claims 25-28, 33-35, 38, 40 under 35 U.S.C. 102(b), and in regard to the rejection of claims 27 and 28 under 35 U.S.C. 103(a), both relying on